

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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MEMO ENDORSED

David E. Patton
*Executive Director
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*Southern District of New York
Jennifer L. Brown
Attorney-in-Charge*

November 3, 2022

VIA EMAIL AND ECF

The Honorable Kenneth M. Karas
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: United States v. Daniel Delgado, 7:22-cr-389-KMK-1

Dear Honorable Judge Karas:

I write to request an adjournment for the above captioned matter, which is currently scheduled for a status conference on Monday, November 7, 2022, at 3:30 p.m.

At the last appearance on October 6, 2022, I had informed the Court that Mr. Delgado had not received one of the body camera videos in the discovery produced. The video was from the arresting officer and therefore the most relevant of the videos produced. It was expected that the video would be produced so that the parties could see if a resolution may be reached or whether the case would be moving toward trial. Mr. Delgado has still not received the video. I have been in contact with the Assigned Assistant United States Attorney Michael Maimin who is ensuring that the video is produced. However, it will not be produced before the conference on Monday. I am respectfully requesting that the conference be adjourned to the beginning of December to provide additional time for Mr. Delgado to receive the discovery and review it and to see if a disposition can be reached.

I have discussed the instant request with Mr. Maimin and he no objection to this request as long time as the time between November 7, 2022, and the date the matter is scheduled is excluded under the Speedy Trial Act. Mr. Delgado would not object to that request so long as the case is adjourned for a date the beginning of December 2022. Therefore, Mr. Delgado respectfully requests that the Court adjourn this matter for approximately one month for a status conference.

The conference will go forward as scheduled and the Government can explain why the video was not produced during the last month.

So Ordered.

11/4/22

cc: Jennifer Ong, A.U.S.A. (via email)

Respectfully submitted,

Elizabeth K. Quinn
Attorney for Mr. Delgado